

4-30-03

3737  
44

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	
Krause, et al.	:	
Appln. No.: 09/545,685	:	Art Unit: 3737
Filing Date: April 7, 2000	:	Examiner: Lin, Jeoyuh
For: Computer-Aided Bone Distraction	:	Atty Docket: CMV-005.02

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Box Issue Fee, Commissioner for Patents, Washington, D.C. 20231, on April 29, 2003.

Kerry N. Richard  
Kerry N. Richard

Commissioner for Patents  
Washington, DC 20231

Sir:

Submitted herewith are:

1. Fee Transmittal Form (1 page);
2. Check in the amount of \$180 (fee code 1806);
3. Information Disclosure Statement Under 37 CFR §1.97(d); (2 pages);
4. Information Disclosure Statement by Applicant (Form 1449A) (1 page);
5. References AA - AE; and
6. Return Receipt Postcard.

RECEIVED  
MAY 06 2003  
TECHNOLOGY CENTER R3700

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

~~EE~~ **EE TRANSMITTAL**  
for FY 2003

APR 29 2003

*Patent fees are subject to annual revision.*

**TOTAL AMOUNT OF PAYMENT** (\$ 180 Attorney Docket No. CMV-005.02

METHOD OF PAYMENT (check one)					FEE CALCULATION (continued)																																																																																																																																																																																												
<p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number 06-1448, Reference: CMV-005.02</p> <p>Deposit Account Name Foley Hoag LLP</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>					<p><b>3. ADDITIONAL FEES</b></p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive – unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive – unintentional</td><td></td></tr> <tr><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17 (q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td>180</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>750</td><td>2810</td><td>375</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr> <td colspan="5"></td> <td colspan="5"> <p>Other fee (specify) _____</p> <p>*Reduced by Basic Filing Fee Paid</p> <p><b>SUBTOTAL (3) (\$ 180)</b></p> </td> </tr> </tbody> </table>					Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	410	2252	205	Extension for reply within second month		1253	930	2253	465	Extension for reply within third month		1254	1,450	2254	725	Extension for reply within fourth month		1255	1,970	2255	985	Extension for reply within fifth month		1401	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive – unavoidable		1453	1,300	2453	650	Petition to revive – unintentional		1501	1,300	2501	650	Utility issue fee (or reissue)		1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)		1806	180	1806	180	Submission of Information Disclosure Stmt	180	8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))		1801	750	2801	375	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application							<p>Other fee (specify) _____</p> <p>*Reduced by Basic Filing Fee Paid</p> <p><b>SUBTOTAL (3) (\$ 180)</b></p>				
Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																												
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																																													
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																																													
1053	130	1053	130	Non-English specification																																																																																																																																																																																													
1812	2,520	1812	2,520	For filing a request for reexamination																																																																																																																																																																																													
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																													
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																													
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																																													
1252	410	2252	205	Extension for reply within second month																																																																																																																																																																																													
1253	930	2253	465	Extension for reply within third month																																																																																																																																																																																													
1254	1,450	2254	725	Extension for reply within fourth month																																																																																																																																																																																													
1255	1,970	2255	985	Extension for reply within fifth month																																																																																																																																																																																													
1401	320	2401	160	Notice of Appeal																																																																																																																																																																																													
1402	320	2402	160	Filing a brief in support of an appeal																																																																																																																																																																																													
1403	280	2403	140	Request for oral hearing																																																																																																																																																																																													
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																													
1452	110	2452	55	Petition to revive – unavoidable																																																																																																																																																																																													
1453	1,300	2453	650	Petition to revive – unintentional																																																																																																																																																																																													
1501	1,300	2501	650	Utility issue fee (or reissue)																																																																																																																																																																																													
1502	470	2502	235	Design issue fee																																																																																																																																																																																													
1503	630	2503	315	Plant issue fee																																																																																																																																																																																													
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																													
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)																																																																																																																																																																																													
1806	180	1806	180	Submission of Information Disclosure Stmt	180																																																																																																																																																																																												
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																													
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																													
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																													
1801	750	2801	375	Request for Continued Examination (RCE)																																																																																																																																																																																													
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																													
					<p>Other fee (specify) _____</p> <p>*Reduced by Basic Filing Fee Paid</p> <p><b>SUBTOTAL (3) (\$ 180)</b></p>																																																																																																																																																																																												
<p>**or number previously paid, if greater; For Reissues, see above</p>																																																																																																																																																																																																	

**\*\*or number previously paid, if greater: For Reissues, see above**

<b>SUBMITTED BY</b>		Complete (if applicable)		
Name (Print/Type)	Kevin A. Oliver	Registration No. Attorney/Agent)	42,049	Telephone
Signature			Date	April 29, 2003

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.  
**DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Commissioner for Patents, Washington, DC 20231